2013 DRAFTING REQUEST

ВШ							
Received: 1/24/2014					Received By:	gmalaise	
Wanted: 1/26/2014 4:00:00 PM				Same as LRB:			
For:]	Luther Olsen (608)	266-0751		By/Representing:	Randy Thorso	n (Rep. Krug
May C	Contact:				Drafter:	gmalaise	
Subject: Children - abuse and			nd neglect		Addl. Drafters:		
					Extra Copies:		
Reques	t via ema ster's ema n copy (C opic:	ail: Sen.(Olsen@legis.w	isconsin.go	· V		-
No spe	ecific pre	topic given					
Topic:	•						
Confid	lentiality	of unsubstantiated c	hild abuse repo	orts			
Instru	ections:						
Draft c	companio	n to -3029/4					
Drafti	ing Histo	ry:					
	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	gmalaise 1/24/20			:			
/1			jfrantze 1/27/2014		sbasford 1/27/2014	sbasford 1/27/2014	
FE Ser	nt For:						
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2013 DRAFTING REQUEST

Bill							
Receiv	red: 1/2	4/2014			Received By:	gmalaise	
Wante	d: 1/20	6/2014 4:00:00 P	M		Same as LRB:	Randy Thorson (Rep. Krug	
For:	Lut	ther Olsen (608)	266-0751		By/Representing:		
May Contact:					Drafter:	gmalaise	
Subject: Children - abuse and neglect				Addl. Drafters:			
					Extra Copies:		
Reque	t via email: ster's email: n copy (CC)		Olsen@legis.w	isconsin.g	ov		
Pre To							
No spe	ecific pre top	oic given			•		
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Confid	lentiality of	unsubstantiated cl	hild abuse repo	orts			
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Drafti	ng History:						
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 1/24/2014	scalvin 1/24/2014			-		
/1			jfrantze 1/27/2014		sbasford 1/27/2014		
FE Ser	nt For:						

<**END>**

2013 DRAFTING REQUEST

Bill

Received:

1/24/2014

Received By:

gmalaise

Wanted:

1/26/2014 4:00:00 PM

Same as LRB:

For:

Luther Olsen (608) 266-0751

By/Representing: Randy Thorson (Rep. Krug)

May Contact:

Drafter:

gmalaise

Subject:

Children - abuse and neglect

Addl. Drafters:

Extra Copies:

Submit via email:

YES

Requester's email:

Sen.Olsen@legis.wisconsin.gov

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Confidentiality of unsubstantiated child abuse reports

Instructions:

Draft companion to -3029/4

Drafting History:

Vers. Drafted

Reviewed

Typed Proofed

Submitted

Jacketed

Required

/? gmalaise 11 sac

01/24/2014

FE Sent For:

<END>



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AN ACT to create 48.981 (7) (cp) of the statutes; relating to: prohibiting the disclosure of a determination that a person has abused or neglected a child for purposes of a caregiver background check when that abuse or neglect has not been substantiated.

Analysis by the Legislative Reference Bureau

Under current law, child abuse and neglect reports and records are confidential and may be disclosed only to certain persons or for certain purposes specified in current law, including for purposes of a caregiver background check.

The federal Child Abuse Prevention and Treatment Act (CAPTA), however, includes as an eligibility requirement for receipt of a grant under that act that a state has in effect provisions requiring the prompt expungement, for purposes of employment or other background checks, of records that relate to child abuse or neglect cases determined to be unsubstantiated or false.

This bill conforms state law to CAPTA by: 1) permitting a determination made before January 1, 2015, that a person has abused or neglected a child to be disclosed for purposes of a caregiver background check only if that determination has not been reversed or modified on appeal; and 2) permitting such a determination made on or after January 1, 2015, to be disclosed for those purposes only if that determination is a final agency determination that the person has abused or neglected the child or, if a contested case hearing is held on such a determination, is a final administrative or judicial decision that the person has abused or neglected the child. The bill also

BILL

provides that nothing in the bill prevents the disclosure of a child abuse or neglect report or record as otherwise permitted under current law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.981 (7) (cp) of the statutes is created to read:

48.981 (7) (cp) Notwithstanding par. (a), an agency may disclose a determination made before January 1, 2015, that a person has abused or neglected a child for purposes of a background check under s. 48.685 or 50.065 only if that determination has not been reversed or modified on appeal and may disclose such a determination made on or after January 1, 2015, for those purposes only as provided in sub. (3) (c) 5r. Nothing in this paragraph prevents the disclosure of a report or record as otherwise permitted under this subsection.

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Basford, Sarah

From:

Merdler, Michelle

Sent:

Monday, January 27, 2014 8:03 AM

To:

LRB.Legal

Subject:

Draft Review: LRB -4105/1 Topic: Confidentiality of unsubstantiated child abuse reports

Please Jacket LRB -4105/1 for the SENATE.

Thank you!

Michelle

Michelle Merdler
Office of Senator Luther Olsen
14th Senate District
Michelle.Merdler@legis.wisconsin.gov
608-266-0751
Senator Olsen on Facebook